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LAWS AND REGULATIONS

RELATING TO THE

SEQUOIA AND GENERAL GRANT NATIONAL PARKS  
CALIFORNIA

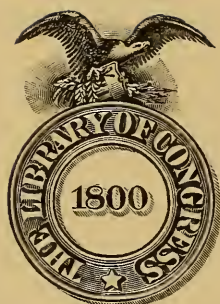
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LAWS AND REGULATIONS

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CALIFORNIA

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## LAWS AND REGULATIONS RELATING TO THE SEQUOIA AND GENERAL GRANT NATIONAL PARKS, CAL.

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### LAWS.

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ACT OF SEPTEMBER 25, 1890 (26 STAT., 478).<sup>a</sup>

AN ACT To set apart a certain tract of land in the State of California as a public park.

Whereas, the rapid destruction of timber and ornamental trees in various parts of the United States, some of which trees are the wonders of the world on account of their size and the limited number growing, makes it a matter of importance that at least some of said forests should be preserved: Therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the tract of land in the State of California known and described as township numbered eighteen south, of range numbered thirty east, also township eighteen south range thirty-one east; and sections thirty-one, thirty-two, thirty-three, and thirty-four, township seventeen south range thirty east, all east of Mount Diablo meridian, is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a public park, or pleasure ground, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom.

SEC. 2. That said public park shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities or wonders within said park, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not exceeding five acres, at such places in said park as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases and other revenues that may be derived from any source connected with said park to be expended under his direction in the management of the same and the construction

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<sup>a</sup> This act covers part of Sequoia National Park; the remainder of said park is reserved by section 3 of act of October 1, 1890, which follows.

of roads and paths therein. He shall provide against the wanton destruction of the fish and game found within said park, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same, after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

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ACT OF OCTOBER 1, 1890 (26 STAT., 650).<sup>a</sup>

AN ACT To set apart certain tracts of land in the State of California as forest reservations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the tracts of land in the State of California known as described as follows: Commencing at the northwest corner of township two north, range nineteen east Mount Diablo meridian, thence eastwardly on the line between townships two and three north, ranges twenty-four and twenty-five east; thence southwardly on the line between ranges twenty-four and twenty-five east to the Mount Diablo base line; thence eastwardly on said base line to the corner to township one south, ranges twenty-five and twenty-six east; thence southwardly on the line between ranges twenty-five and twenty-six east to the southeast corner of township two south, range twenty-five east; thence eastwardly on the line between townships two and three south, range twenty-six east to the corner to townships two and three south, ranges twenty-six and twenty-seven east; thence southwardly on the line between ranges twenty-six and twenty-seven east to the first standard parallel south; thence westwardly on the first standard parallel south to the southwest corner of township four south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two south, range nineteen east; thence westwardly on the line between townships one and two south to the southwest corner of township one south, range nineteen east; thence northwardly on the line between ranges eighteen and nineteen east to the northwest corner of township two north, range nineteen east, the place of beginning, are hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands; and all persons who shall locate or settle upon, or occupy the same or any part thereof, except as hereinafter provided, shall be considered trespassers and removed therefrom: *Provided, however,* That nothing in this act shall be construed as in anywise affecting the grant of lands made to the State of California by virtue of the act entitled "An act authorizing a grant to the State of California of the Yosemite Valley, and of the land embracing the Mariposa Big Tree Grove, approved June thirtieth, eighteen hundred and sixty-four; or as affecting any bona fide entry

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<sup>a</sup> Sections 1 and 2 of this act relate to Yosemite National Park. Of the lands described in section 3 of the act, Tps. 15 and 16 S., Rs. 29 and 30 E., Mount Diablo base and meridian, and all of Tp. 17 S., R. 30 E., with the exception of Secs. 31, 32, 33, and 34, form part of the Sequoia National Park, the lands forming the remainder of said park being reserved by the act of September 25, 1890. The following lands described in section 3 constitute General Grant National Park: Secs. 5 and 6, Tp. 14 S., R. 28 E., and Secs. 31 and 32, Tp. 13 S., R. 28 E., Mount Diablo base and meridian.



of land made within the limits above described under any law of the United States prior to the approval of this act.

SEC. 2. That said reservation shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations shall provide for the preservation from injury of all timber, mineral deposits, natural curiosities, or wonders within said reservation, and their retention in their natural condition. The Secretary may, in his discretion, grant leases for building purposes for terms not exceeding ten years of small parcels of ground not exceeding five acres; at such places in said reservation as shall require the erection of buildings for the accommodation of visitors; all of the proceeds of said leases and other revenues that may be derived from any source connected with said reservation to be expended under his direction in the management of the same and the construction of roads and paths therein. He shall provide against the wanton destruction of the fish, and game found within said reservation, and against their capture or destruction, for the purposes of merchandise or profit. He shall also cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and, generally, shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

SEC. 3. There shall also be and is hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and shall be set apart as reserved forest lands, as hereinbefore provided, and subject to all the limitations and provisions herein contained, the following additional lands, to wit: Township seventeen south, range thirty east of the Mount Diablo meridian, excepting sections thirty-one, thirty-two, thirty-three, and thirty-four of said township, included in a previous bill. And there is also reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as forest lands, subject to like limitations, conditions, and provisions, all of townships fifteen and sixteen south, of ranges twenty-nine and thirty east of the Mount Diablo meridian. And there is also hereby reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and set apart as reserved forest lands under like limitations, restrictions, and provisions, sections five and six in township fourteen south, range twenty-eight east of Mount Diablo meridian, and also sections thirty-one and thirty-two of township thirteen south, range twenty-eight east of the same meridian. Nothing in this act shall authorize rules or contracts touching the protection and improvement of said reservations beyond the sums that may be received by the Secretary of the Interior under the foregoing provisions, or authorize any charge against the Treasury of the United States.

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FROM THE SUNDRY CIVIL ACT OF JUNE 6, 1900 (31 STAT., 618).

The Secretary of War, upon the request of the Secretary of the Interior, is hereafter authorized and directed to make the necessary detail of troops to prevent trespassers or intruders from entering the Sequoia National Park, the Yosemite National Park, and the General

Grant National Park, respectively, in California, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of said reservations, and to remove such persons from said park if found therein.

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ACT OF FEBRUARY 15, 1901 (31 STAT., 790).

AN ACT Relating to rights of way through certain parks, reservations, and other public lands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him, to permit the use of rights of way through the public lands, forest and other reservations of the United States, and the Yosemite, Sequoia, and General Grant national parks, California, for electrical plants, poles, and lines for the generation and distribution of electrical power, and for telephone and telegraph purposes, and for canals, ditches, pipes and pipe lines, flumes, tunnels, or other water conduits, and for water plants, dams, and reservoirs used to promote irrigation or mining or quarrying, or the manufacturing or cutting of timber or lumber, or the supplying of water for domestic, public, or any other beneficial uses to the extent of the ground occupied by such canals, ditches, flumes, tunnels, reservoirs, or other water conduits or water plants, or electrical or other works permitted hereunder, and not to exceed fifty feet on each side of the marginal limits thereof, or not to exceed fifty feet on each side of the center lines of such pipes and pipe lines, electrical, telegraph, and telephone lines and poles, by any citizen, association, or corporation of the United States, where it is intended by such to exercise the use permitted hereunder or any one or more of the purposes herein named: *Provided*, That such permits shall be allowed within or through any of said parks or any forest, military, Indian, or other reservation only upon the approval of the chief officer of the Department under whose supervision such park or reservation falls and upon a finding by him that the same is not incompatible with the public interest: *Provided further*, That all permits given hereunder for telegraph and telephone purposes shall be subject to the provision of title sixty-five of the Revised Statutes of the United States, and amendments thereto, regulating rights of way for telegraph companies over the public domain: *And provided further*, That any permission given by the Secretary of the Interior under the provisions of this Act may be revoked by him or his successor in his discretion, and shall not be held to confer any right, or easement, or interest in, to, or over any public land, reservation, or park.



## RULES AND REGULATIONS.

### GENERAL REGULATIONS OF MARCH 30, 1907.

#### Sequoia National Park.

1. By act of Congress, approved September 25, 1890, the tract of land in the State of California described in township 18 south and ranges 30 and 31 east, and also sections 31, 32, 33, and 34, in township 17 south and range 30 east, and by act of Congress, approved October 1, 1890, the adjoining tract described as townships 15 and 16 south, ranges 29 and 30 east, and also township 17 south, range 30 east, except above-mentioned sections 31, 32, 33, and 34, have been set apart for a public park, and the same shall be known as the "SEQUOIA NATIONAL PARK."

2. The park by said act is placed under the exclusive control of the Secretary of the Interior, and these rules and regulations are made and published in pursuance of the duty imposed on him in regard thereto.

3. It is forbidden to injure or disturb in any manner, any of the mineral deposits, natural curiosities, or wonders, on the Government lands within the park.

4. It is forbidden to cut or injure any timber growing on the park lands. Camping parties will be allowed to use dead or fallen timber for fuel.

5. Fires shall be lighted only when necessary and completely extinguished when not longer required. The utmost care must be exercised at all times to avoid setting fire to the timber and grass.

6. Hunting or killing, wounding or capturing any bird or wild animal on the park lands, except dangerous animals when necessary to prevent them from destroying life or inflicting an injury, is prohibited. The outfits, including guns, traps, teams, horses, or means of transportation used by persons engaged in hunting, killing, trapping, ensnaring, or capturing such birds or wild animals, or in possession of game killed on the park lands under other circumstances than prescribed above, will be taken up by the superintendent and held subject to order of the Secretary of the Interior, except in cases where it is shown by satisfactory evidence that the outfit is not the property of the person, or persons, violating this regulation and the actual owner thereof was not a party to such violation. Firearms will only be permitted in the park on written permission from the superintendent thereof.

7. Fishing with nets, seines, traps, or by the use of drugs or explosives, or in any other way than with hook and line, is prohibited. Fishing for purposes of merchandise or profit is forbidden. Fishing may be prohibited by order of the superintendent of the park in any of the waters of the park, or limited therein to any specified season of the year, until otherwise ordered by the Secretary of the Interior.

8. No person will be permitted to reside permanently, or to engage in any business on the Government lands in the park without permission, in writing, from the Secretary of the Interior. The superintendent may grant authority to competent persons to act as guides and revoke the same in his discretion, and no pack trains shall be allowed in the park unless in charge of a duly registered guide.

9. Owners of patented lands within the park limits are entitled to the full use and enjoyment thereof; such lands, however, shall have the metes and bounds thereof so marked and defined as that they may be readily distinguished from the park lands. Stock may be taken over the park lands to patented lands with the written permission and under the supervision of the superintendent.

10. The herding or grazing of loose stock or cattle of any kind on the Government lands in the park, as well as the driving of such stock or cattle over the same, is strictly forbidden, except in such cases where authority therefor is granted by the superintendent.

11. The sale or use of intoxicating liquors on the Government lands in the park is strictly forbidden.

12. Private notices or advertisements shall not be posted or displayed on the Government lands within the reservation, except such as may be necessary for the convenience and guidance of the public.

13. Persons who render themselves obnoxious by disorderly conduct or bad behavior, or who may violate any of the foregoing rules may be summarily removed from the park and will not be allowed to return without permission, in writing, from the Secretary of the Interior or the superintendent of the park.

14. The superintendent designated by the Secretary is hereby authorized and directed to remove all trespassers from the Government lands in the park and enforce these rules and regulations and all the provisions of the act of Congress aforesaid.

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#### REGULATIONS OF MARCH 30, 1907, GOVERNING THE IMPOUNDING AND DISPOSITION OF LOOSE LIVE STOCK.

Horses, cattle, or other domestic live stock running at large or being herded or grazed on the Government lands in the Sequoia National Park without authority from the superintendent of the park, will be taken up and impounded by the superintendent, who will at once give notice thereof to the owner, if known. If the owner is not known, notices of such impounding, giving a description of the animal or animals, with the brands thereon, will be posted in six public places inside the park and in two public places outside the park. Any owner of an animal thus impounded may, at any time before the sale thereof, reclaim the same upon proving ownership and paying the cost of notice and all expenses incident to the taking up and detention of such animal, including the cost of feeding and caring for the same. If any animal thus impounded shall not be reclaimed within thirty days from notice to the owner or from the date of posting notices, it shall be sold at public auction at such time and place as may be fixed by the superintendent after ten days' notice, to be given by posting notices in six public places in the park and two public places outside the park, and by mailing to the owner, if known, a copy thereof.



All money received from the sale of such animals and remaining after the payment of all expenses incident to the taking up, impounding, and selling thereof, shall be carefully retained by the superintendent in a separate fund for a period of six months, during which time the net proceeds from the sale of any animal may be claimed by and paid to the owner upon the presentation of satisfactory proof of ownership; and if not so claimed within six months from the date of sale such proceeds shall be turned into the Sequoia National Park fund.

The superintendent shall keep a record in which shall be set down a description of all animals impounded, giving the brands found on them, the date and locality of the taking up, the date of all notices and manner in which they were given, the date of sale, the name and address of the purchaser, the amount for which each animal was sold and the cost incurred in connection therewith, and the disposition of the proceeds.

The superintendent will, in each instance, make every reasonable effort to ascertain the owner of animals impounded and to give actual notice thereof to such owner.

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#### General Grant National Park.

1. By act of Congress, approved October 1, 1890, the tract of land in the State of California described as sections 5 and 6, in township 14 south, range 28 east, of Mount Diablo Meridian, and also sections 31 and 32 of township 13 south, range 28 east of the same meridian, have been set apart for a public park, and the same shall be known as the "GENERAL GRANT NATIONAL PARK," "General Grant" being the name by which the Great Tree therein is so widely known.

All other provisions of the General Grant Park regulations are the same as those for Sequoia National Park.

## GENERAL LEGISLATION.

### SECTION 5391, REVISED STATUTES OF THE UNITED STATES.

Prosecutions under State Laws where no Federal Laws are Applicable.

If any offense be committed in any place which has been or may hereafter be, ceded to and under the jurisdiction of the United States, which offense is not prohibited, or the punishment thereof is not specially provided for, by any law of the United States, such offense shall be liable to, and receive, the same punishment as the laws of the State in which such place is situated, now in force, provide for the like offense when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offense in any court of the United States.

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### ACT OF JULY 7, 1898 (30 STAT., 717).

AN ACT To protect the harbor defenses and fortifications constructed or used by the United States from malicious injury, and for other purposes.

\* \* \* \* \*

SEC. 2. That when any offense is committed in any place, jurisdiction over which has been retained by the United States or ceded to it by a State, or which has been purchased with the consent of a State for the erection of a fort, magazine, arsenal, dockyard, or other needful building or structure, the punishment for which offense is not provided for by any law of the United States, the person committing such offense shall, upon conviction in a circuit or district court of the United States for the district in which the offense was committed, be liable to and receive the same punishment as the laws of the State in which such place is situated now provide for the like offense when committed within the jurisdiction of such State, and the said courts are hereby vested with jurisdiction for such purpose; and no subsequent repeal of any such State law shall affect any such prosecution.

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### ACT OF MARCH 3, 1875 (18 STAT., 481).

Cutting Timber on Reserved Lands, Destroying Fences, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons shall knowingly and unlawfully cut, or shall knowingly aid,*

assist, or be employed in unlawfully cutting, or shall wantonly destroy or injure, or procure to be wantonly destroyed or injured, any timber-tree or any shade or ornamental tree, or any other kind of tree, standing, growing, or being upon any land of the United States, which, in pursuance of law, have been reserved, or which have been purchased by the United States for any public use, every such person or persons so offending, on conviction thereof before any circuit or district court of the United States, shall, for every such offense, pay a fine not exceeding \$500, or shall be imprisoned not exceeding twelve months.

SEC. 2. That if any person or persons shall knowingly and unlawfully break or destroy any fence, wall, hedge, or gate inclosing any lands of the United States, which have, in pursuance of any law, been reserved or purchased by the United States for any public use, every such person so offending, on conviction, shall, for every such offence, pay a fine not exceeding \$200, or be imprisoned not exceeding six months.

SEC. 3. That if any person or persons shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States, reserved or purchased as aforesaid, and shall drive any cattle, horses, or hogs upon the lands aforesaid for the purpose of destroying the grass or trees on the said grounds, or where they may destroy the said grass or trees, or if any such person or persons shall knowingly permit his or their cattle, horses, or hogs to enter through any of said inclosures upon the lands of the United States aforesaid, where the said cattle, horses, or hogs may or can destroy the grass or trees or other property of the United States on the said land, every such person or persons so offending, on conviction, shall pay a fine not exceeding \$500, or be imprisoned not exceeding twelve months.

*Provided*, That nothing in this act shall be construed to apply to unsurveyed public lands and to public lands subject to preemption and homestead laws, or to public lands subject to an act to promote the development of the mining resources of the United States, approved May 10, 1872.

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ACT OF JUNE 3, 1878 (20 STAT., 89), AS AMENDED BY SEC. 2, OF THE ACT OF AUGUST 4, 1892 (27 STAT., 348).

#### Cutting Timber on Lands of the United States.

\* \* \* \* \*

SEC. 4. After the passage of this act it shall be unlawful to cut, or cause or procure to be cut, or wantonly destroy, any timber growing on any lands of the United States in public-land States, or remove, or cause to be removed, any timber from said public lands with intent to export or dispose of the same; and no owner, master, or consignee of any vessel, or owner, director, or agent of any railroad, shall knowingly transport the same, or any lumber manufactured therefrom; and any person violating the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined for every such offense a sum not less than one hundred nor more than one thousand dollars.



## ACT OF JUNE 10, 1896 (29 STAT., 343).

## Changing or Removing Survey Marks.

AN ACT Making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes.

Hereafter it shall be unlawful for any person to destroy, deface, change, or remove to another place any section corner, quarter-section corner, or meander post on any Government line of survey, or to cut down any witness tree or any tree blazed to mark the line of a Government survey, or to deface, change, or remove any monument or bench mark of any Government survey. That any person who shall offend against any of the provisions of this paragraph shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court shall be fined not exceeding two hundred and fifty dollars, or be imprisoned not more than one hundred days. All the fines accruing under this paragraph shall be paid into the Treasury, and the informer, in each case of conviction, shall be paid the sum of twenty-five dollars.

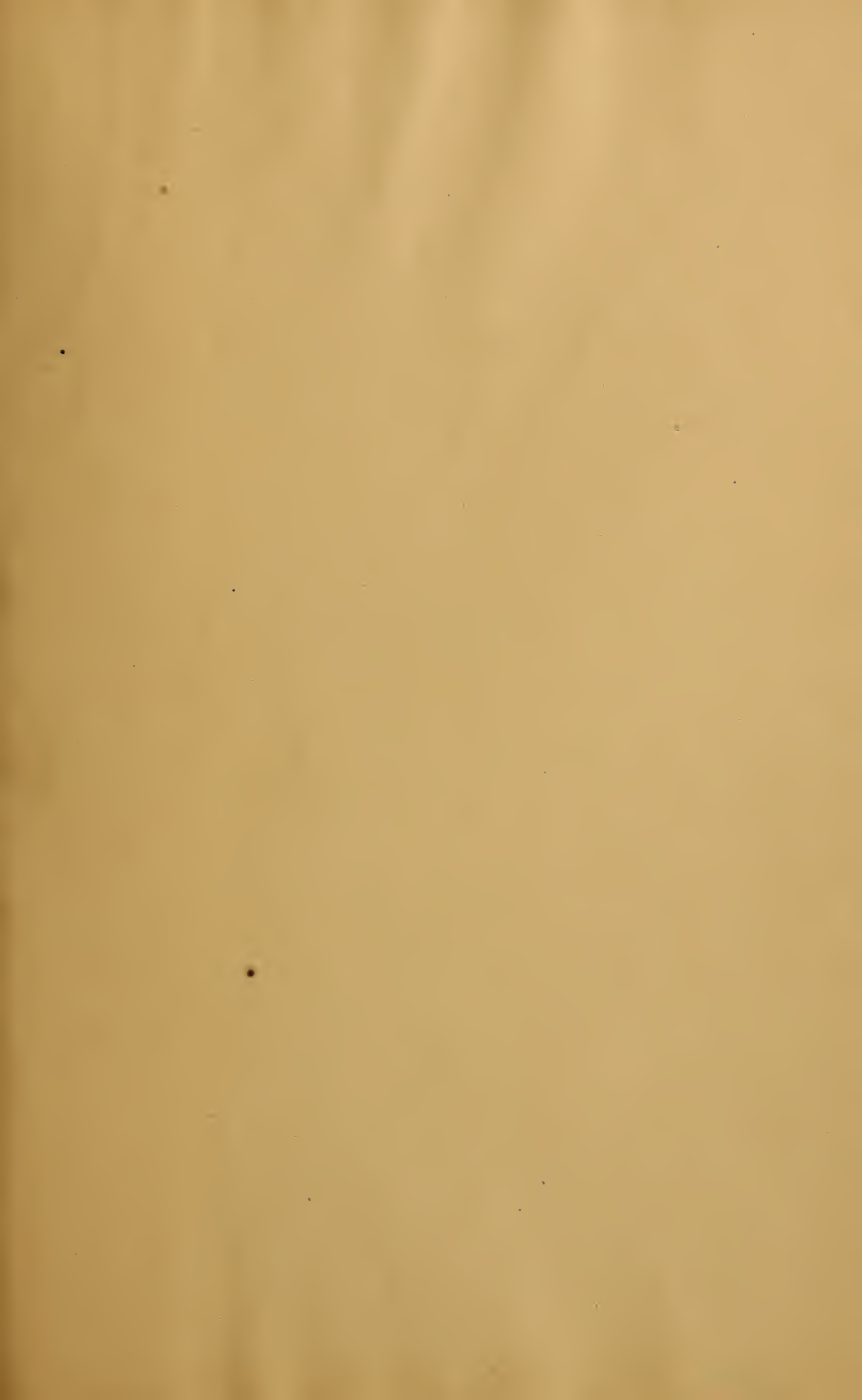
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ACT OF FEBRUARY 6, 1905 (33 STAT., 700).

## Arrests by National Park and Forest Employees.

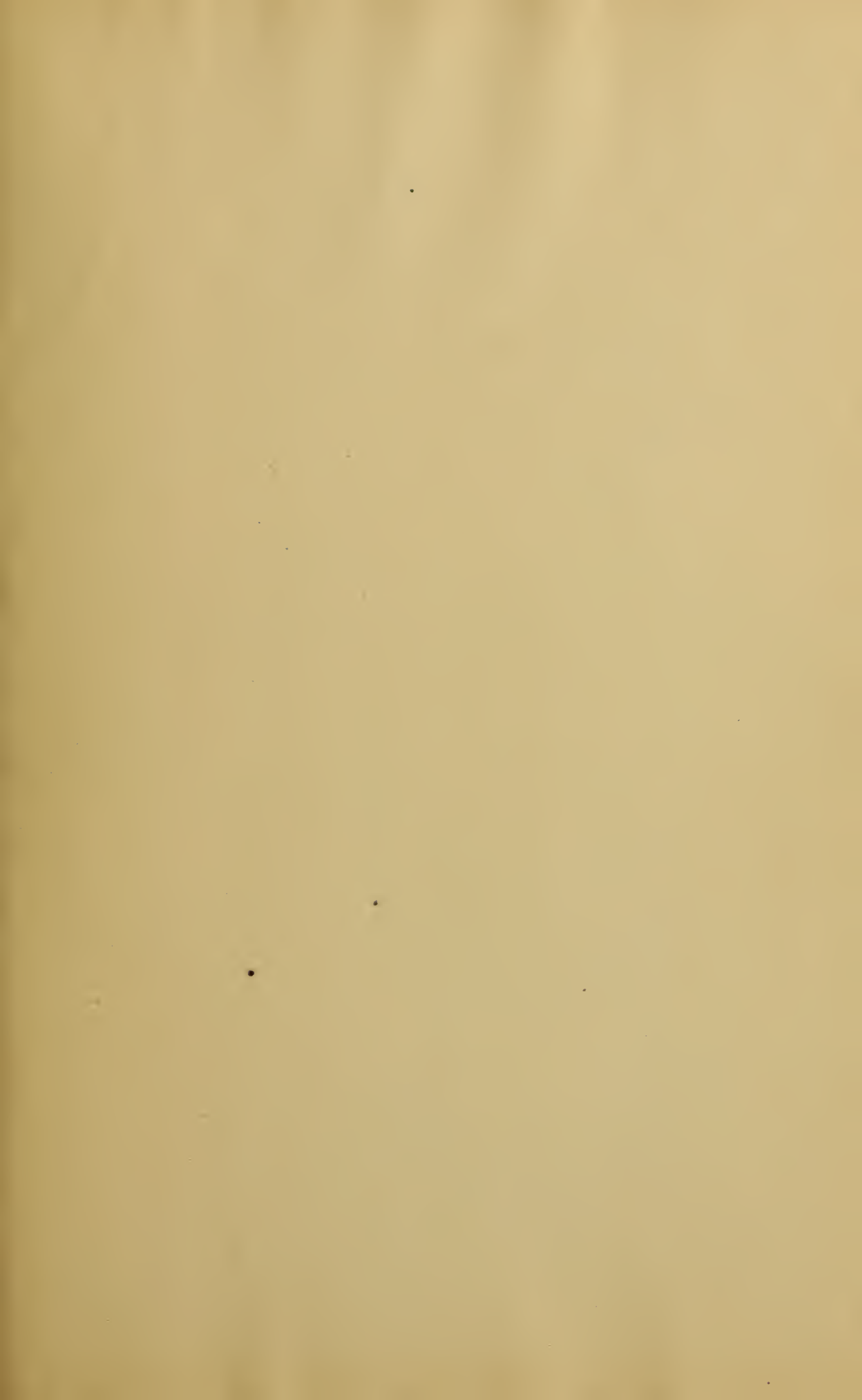
AN ACT For the protection of the public forest reserves and national parks of the United States.

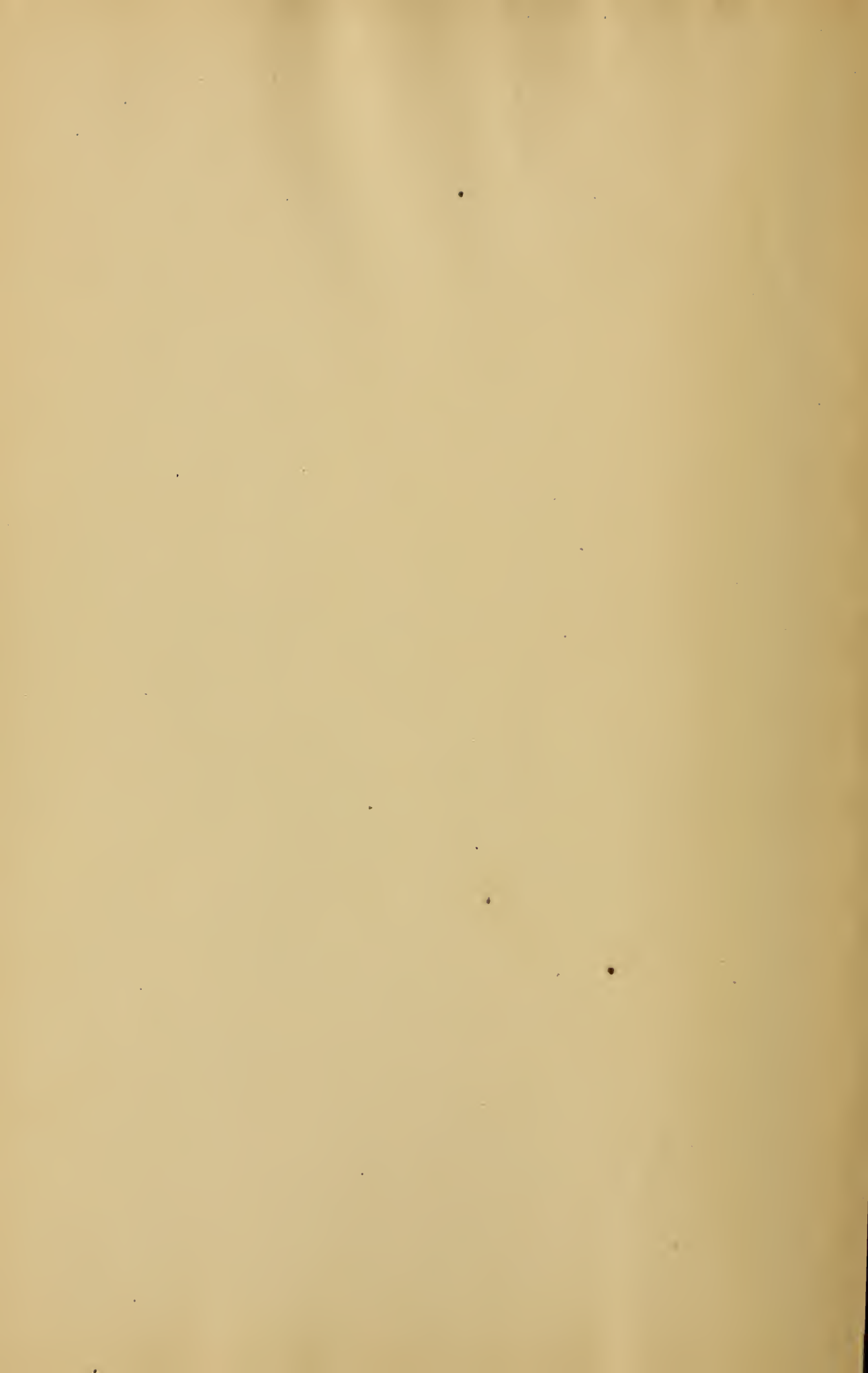
All persons employed in the forest-reserve and national-park service of the United States shall have authority to make arrests for the violation of the laws and regulations relating to the forest reserves and national parks, and any person so arrested shall be taken before the nearest United States commissioner, within whose jurisdiction the reservation or national park is located, for trial; and upon sworn information by any competent person any United States commissioner in the proper jurisdiction shall issue process for the arrest of any person charged with the violation of said laws and regulations; but nothing herein contained shall be construed as preventing the arrest by any officer of the United States, without process, of any person taken in the act of violating said laws and regulations.

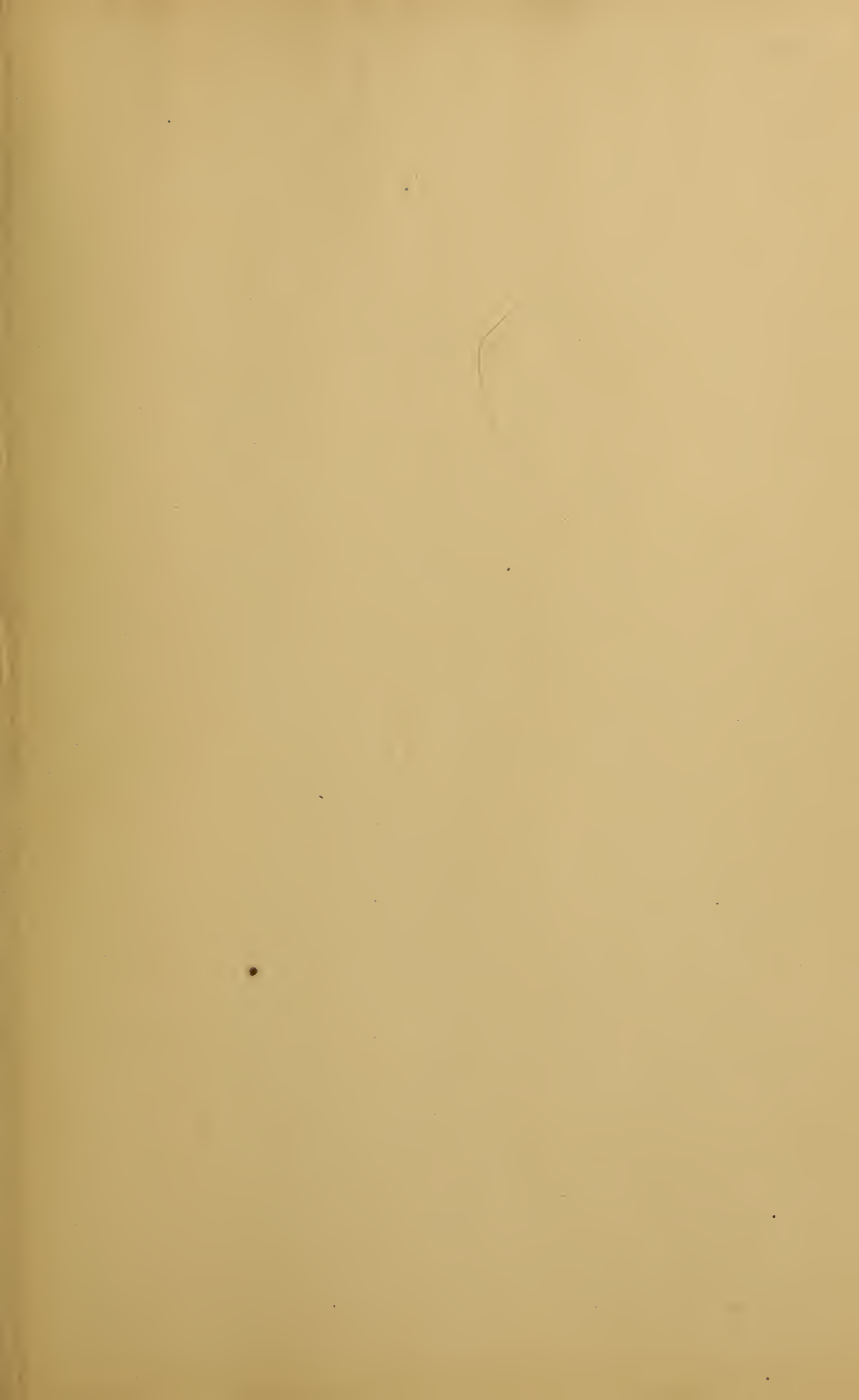












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